

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION**

In re:

FREE SPEECH SYSTEMS, LLC,

DEBTOR.

§
§
§
§

Case No. 22-60043

**(Subchapter V Debtor)
Chapter 11**

**WITNESS AND EXHIBIT LIST
FOR HEARING ON DEBTOR'S EMERGENCY FIRST DAY MOTIONS
[ECF. NOS. 6, 7, 8, & 9]**

Judge:	Hon. Christopher M. Lopez
Hearing Date:	Wednesday, August 3, 2022
Hearing Time:	10:00 a.m. (CT)
Party's Name:	Free Speech Systems, LLC
Attorney's Name:	Ray Battaglia, RJ Shannon, Kyung S. Lee
Attorney's Phone:	(210) 601-9405 and (713) 714-5770
Nature of Proceeding:	<p>Hearing on:</p> <ul style="list-style-type: none"> • Emergency Motion for Interim and Final Orders (I) Authorizing the Use of Cash Collateral Pursuant to Section 105, 361, and 363 of the Bankruptcy Code and Federal Rule of Bankruptcy Procedure 4001(b) and (II) Granting Adequate Protection to the Pre-Petition Secured Lender Filed by Debtor Free Speech Systems LLC [Docket No. 6] • Emergency Motion for Entry of an Order (I) Approving Debtor's Proposed Form of Adequate Assurance of Payment for Future Utility Services; (II) Approving Adequate Assurance Procedures; (III) Prohibiting Utility Providers from Altering, Refusing or Discontinuing Services, and (IV) Granting Related Relief Filed by Debtor Free Speech Systems LLC [Docket No. 7] • Emergency Motion for Order (A) Authorizing the Debtor to Pay Prepetition Obligations of Certain Vendors, and (B) Granting Related Relief Filed by Debtor Free Speech Systems LLC [Docket No. 8] • Emergency Motion Emergency Motion to Extend Time to File Schedules and Statement of Financial Affairs Filed by Debtor Free Speech Systems LLC [Docket No. 9]

Law Offices of Ray Battaglia, PLLC proposed co-counsel to Free Speech Systems, LLC (the “Debtor”), in the above-captioned chapter 11 case (the “Chapter 11 Case”), hereby submits this witness and exhibit list in connection with the hearings to be held on Wednesday, August 3, 2022 at 10:00 A.M. (Central Time) (the “Hearing”) on the pleading listed below.

- Emergency Motion for Interim and Final Orders (I) Authorizing the Use of Cash Collateral Pursuant to Section 105, 361, and 363 of the Bankruptcy Code and Federal Rule of Bankruptcy Procedure 4001(b) and (II) Granting Adequate Protection to the Pre-Petition Secured Lender Filed by Debtor Free Speech Systems LLC [Docket No. 6]
- Emergency Motion for Entry of an Order (I) Approving Debtor's Proposed Form of Adequate Assurance of Payment for Future Utility Services; (II) Approving Adequate Assurance Procedures; (III) Prohibiting Utility Providers from Altering, Refusing or Discontinuing Services, and (IV) Granting Related Relief Filed by Debtor Free Speech Systems LLC [Docket No. 7]
- Emergency Motion for Order (A) Authorizing the Debtor to Pay Prepetition Obligations of Certain Vendors, and (B) Granting Related Relief Filed by Debtor Free Speech Systems LLC [Docket No. 8]
- Emergency Motion Emergency Motion to Extend Time to File Schedules and Statement of Financial Affairs Filed by Debtor Free Speech Systems LLC [Docket No. 9]

WITNESSES

The Debtor may call any of the following witnesses at the Hearing, whether in person or by proffer:

1. W. Marc Schwartz, Chief Restructuring Officer of Free Speech Systems, LLC;
2. Any witnesses necessary to establish notice of the Hearing has been provided; and
3. Any witnesses necessary to rebut the testimony of any witnesses called or designated by any other parties.

EXHIBITS

The Debtor may offer for admission into evidence any of the following exhibits at the hearing:

Ex.	Description	Offered	Objection	Admitted /Not Admitted	Disposition
1	CV of W. Marc Schwartz, CPA/CFF, CFE.				
2	Engagement Letter of Schwartz Associates, LLC, dated May 19, 2022, and signed on June 6, 2022.				
3	Plan Support Agreement IW Health				
4	PQPR August 13, 2020 \$29,588,000 Note				
5	PQPR Security Agreement				
6	PQPR November 10, 2021 \$25,300,000 Promissory Note				
7	PQPR UCC-1 Financing Statement				
8	PQPR Forbearance Term Sheet				
9	13 Week Budget				
10	Interim Cash Collateral Budget				
11	Critical Vendor List				
12	Utility List				

The Debtor reserves the right to supplement, amend or delete any witness and exhibits prior to the hearing. The Debtor also reserves the right to use any exhibits presented by any other party and to ask the Court to take judicial notice of any document. The Debtor finally reserves the right to introduce exhibits previously admitted.

Respectfully submitted the 2nd day of August, 2022.

LAW OFFICES OF RAY BATTAGLIA, PLLC

/S/ Ray Battaglia
Raymond W. Battaglia
State Bar No. 01918055
rbattaglialaw@outlook.com
66 Granburg Circle
San Antonio, Texas 78218
Tel. (210) 601-9405

Proposed Counsel to the Debtor and Debtor-In-Possession

-and-

SHANNON & LEE LLP

/s/ Kyung S. Lee
Kyung S. Lee
State Bar No. 12128400
klee@shannonleellp.com
R. J. Shannon
State Bar No. 24108062
rshannon@shannonleellp.com
700 Milam Street, STE 1300
Houston, Texas 77002
Tel. (713) 714-5770

Proposed Co-Counsel to the Debtor and Debtor in Possession